

## Remarks

### Rejection of Claims 1-3 and 6-7 under 35 U.S.C. Section 102(e)

Claims 1-3 and 6-7 are rejected under 35 U.S.C. Section 102(e). This ground of rejection is respectfully traversed.

Messenger et al. teaches the use of a plurality of carbon fiber strands 10 which are connected to an exterior carbon fiber grid 8, pass through an insulative core 4 and are connected to an interior concrete carbon fiber grid 6 (see column 4, lines 54-61). The carbon fiber strands 10 of Messenger et al. are made of a flexible carbon fiber roving or, in an alternative embodiment, a flexible ribbon/tape 30 is used in which the intersections of the strands are interconnected with a resin (column 5, line 58 – column 6, line 12). In contrast, the sinusoidal connecting element of the present invention is formed using linear, prismatic, thermoplastic pultrusion (see the last paragraph on page 6), a process which results in a rigid composite fiber linear pultrusion which is formed into the sinusoidal shape either in the pultrusion process or subsequently, for example by heating. Applicant's sinusoidal connecting element is a pultrusion having a unitary profile, not a ribbon or tape of a plurality of strands of composite fibers that are laid one on top of the other and thermoset with resin as described in Messenger. All of the claims have been amended to more particularly point out and distinctly claim this novel and non-obvious improvement in the art. This feature of the present claimed invention is not taught or made obvious by Messenger et al. Reconsideration and withdrawal of the Section 102 rejection in light of the foregoing amendments and these remarks is respectfully requested.

### Rejection of Claim 4 Under 35 U.S.C. Section 103(a)

Claim 4 was rejected under 35 U.S.C. Section 103(a) as being obvious over Messenger et al. This ground of rejection is traversed. As described above, Messenger teaches a plurality of overlapping, woven, ribbonlike strands, while Applicant's invention is a pultrusion having a unitary profile.

### New Claim 8

Claim 8 has been added to the application. Claim 8 recites that the rigid fiber-reinforced composite article transmits both tension and compression forces between the concrete panels. In

contrast, Messenger teaches a woven web of a plurality of ribbon-like strands that function only to transmit forces in tension between the two concrete panels and that are wholly incapable of transmitting compressive forces between the concrete panels. A rigid fiber composite article that transmits both tension and compression forces is not taught or suggested by Messenger.

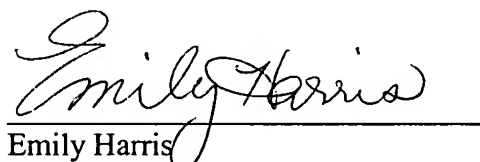
Accordingly, the purpose of the claimed invention is not taught nor suggested by the cited references, nor is there any suggestion or teaching which would lead one skilled in the relevant art to combine the references in a manner which would meet the purpose of the claimed invention. The cancellation and amendments to claims should not be viewed in any way as an admission of the validity or correctness of the positions taken by the examiner in the Office Actions. Because the cited references, whether considered alone, or in combination with one another, do not teach nor suggest the purpose of the claimed invention, Applicant respectfully submits that the claimed invention, as amended, patentably distinguishes over the prior art, including the art cited merely of record.

Based on the foregoing, Applicant respectfully submits that its claims 1-4 and 6-7, as amended, are in condition for allowance at this time, patentably distinguishing over the cited prior art. Accordingly, reconsideration of the application and passage to allowance are respectfully solicited.

The Examiner is respectfully urged to call the undersigned attorney at (515) 288-2500 to discuss any remaining issues that may exist or arise.

Respectfully submitted,

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Emily Harris  
Registration No. 56,201  
DAVIS, BROWN, KOEHN,  
SHORS & ROBERTS, P.C.  
666 Walnut St., Suite 2500  
Des Moines, Iowa 50309  
Telephone: (515) 288-2500

ATTORNEYS FOR APPLICANT